

# I lost my job, so I lost my health insurance. What are my options?



*Information for workers in Texas*

See below for your insurance options. For information on rights you could have when you lose your job, click [here](#).

## **COBRA**

If you lost your insurance through your employer, you may be able to continue your current insurance through the Consolidated Omnibus Budget Reconciliation Act (COBRA). Under COBRA, most employees have the right to have their insurance continued after certain types of job losses. COBRA covers employers with 20 or more employees, as well as public employers.

COBRA continuation is available after events including:

- a covered employee's death
- termination or reduction in hours for reasons other than gross misconduct
- divorce or legal separation from a covered employee

If you choose to continue coverage under COBRA, your employer can require you to pay the full cost of coverage, plus an administrative charge. This will often be more than what you were paying when you worked for your employer, since the employer normally pays part of the cost.

Coverage usually has to be continued for employees, spouses, and dependent children.

COBRA coverage lasts 18 months if you were terminated or lost coverage due to reduced hours and 36 months if you enrolled in Medicare, divorced or legally separated, the policy holder died, or you lose dependent child status on the plan. Please note that if you lose COBRA coverage, you are eligible for a Special Enrollment Period as described above.

If you have any issues with COBRA or with other employee benefits, you should contact the U.S. Department of Labor Employee Benefits Security Administration (EBSA) at 1.866.444.3272. For more information, you can look at EBSA materials on COBRA in [English](#) or [Spanish](#).

## **Medicaid**

The following groups of people will generally qualify for Medicaid, if they are below certain income levels and meet other guidelines: (1) pregnant women, (2) children under 18 years of age, (3) disabled children and adults who receive Supplemental Security Income, (4) people who receive TANF, (5) people who live in nursing homes, and (6) some low-income severely disabled people who need special medical services, supplies, or equipment. If you believe you may be eligible for Medicaid, you can apply by calling 2-1-1, on the internet at [www.yourtexasbenefits.com](http://www.yourtexasbenefits.com), using the Your Texas benefits app on a smartphone, or in person. To find out where you can apply in person, call 2-1-1 or visit [www.yourtexasbenefits.com](http://www.yourtexasbenefits.com).

## **Affordable Care Act Marketplace:**

You may be able to get insurance through "the Marketplace" set up by the Affordable Care Act. There are two times when you can sign up for insurance in "The Marketplace." First, you can sign up during open enrollment periods. Second, you can sign up for insurance during a "Special Enrollment Period" after certain "life events," including if you:

- recently lost your insurance due to:
  - losing a job;
  - losing Marketplace coverage or a policy you bought yourself;
  - losing eligibility for Medicaid or CHIP;
  - losing eligibility for Medicare; or
  - losing coverage through a family member (spouse's loss of insurance or turning 26 years old).
- left incarceration;
- got citizenship;
- turned 26 years old;
- moved:
  - to a new home in a new ZIP code or county;
  - to or from the place you attend school;
  - to or from the place you do seasonal work; or
  - to or from a shelter or other transitional housing.
- got married; or
- had a baby, adopted a child, or placed a child for foster care.

A Special Enrollment Period is typically 60 days before, 60 days after, or either 60 days before or after the event. For example, if you lost your employer-sponsored health insurance on March 1, 2020, you would have until April 30, 2020 to use your Special Enrollment Period. If you have questions about your particular situation, please call the HealthCare.gov hotline at 1-800-318-2596 or visit:

<https://www.healthcare.gov/coverage-outside-open-enrollment/special-enrollment-period/>

To use your Special Enrollment Period, you need to send proof of your qualifying event. If you lose insurance coverage, ask your former insurer for a letter certifying the last date of coverage as soon as possible.

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*Note: this information is not legal advice. For free, confidential advice and information, contact Texas RioGrande Legal Aid at 888-988-9996.*